IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

WP(C).No. 4561 of 2007(R)

PETITIONER:

C.G. SUKUMARAN, S/O. GOPALAN, CHITTADICHALIL HOUSE,
KUDAYATHOOR P.O., KUDAYATHOOR VILLAGE.

BY ADV. SRI.ALEXANDER JOSEPH
SRI.M.V.SABU

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS, GOVERNMENT SECRETARIAT, TRIVANDRUM.

2. DISTRICT SUPERINTENDENT OF POLICE, PAINAVU, IDUKKI DIST.

3. CIRCLE INSPECTOR OF POLICE, KANJAR POLICE STATION, KANJAR,
THODUPUZHA.

4. JUNNAID, S/O. ISMAIL, VELLAPPILLIL HOUSE, KUDAYATHOOR P.O.,
KUDAYATHOOR VILLAGE..

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R1 TO R3 BY G.P. SHRI P.A. SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. Koshy & T.R. Ramachandran Nair, JJ.

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W.P.(C).NO.4561 of 2007-R

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Dated this the 9th day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection. According to the petitioner, he wants to enforce Ext.P1 order. Ext.P1 is an ex-parte order of injunction. If we give police protection on the basis of Ext.P1 injunction order, the other side will find it difficult to get the same vacated later when he takes notice and appear before the Court below. Therefore, this Court will not, in a petition under Article 226 of the Constitution, make any observation regarding the civil disputes between the parties. If the injunction become final, it is for the petitioner to approach the civil Court to enforce the injunction order or if the injunction order is violated, he can seek appropriate remedy. However, without expressing any opinion regarding the merits of the civil disputes between the parties, the police is directed to see that law and order is maintained and the life of both parties are not endangered.

The writ petition is disposed of with the above observations.

(J.B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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